

STATE OF WASHINGTON

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

Phone: (360) 725-7000



OFFICE OF
INSURANCE COMMISSIONER

4954 07/13/05

\$475.00

RECEIVED
JUL 22 2005

In The Matter Of:

AMERICAN PRINTING HOUSE
FOR THE BLIND, INC.

INSURANCE COMMISSIONER
No. D05-304 LEGAL AFFAIRS DIVISION
CONSENT ORDER
LEVYING A FINE

Comes Now the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.01.020 and RCW 48.02.080 and RCW 48.38.050, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

FINDINGS OF FACT:

1. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. is a charitable organization and has been issuing charitable gift annuities in the State of Washington, and is therefore governed by Title 48 RCW.
2. RCW 48.05.030 provides that no person shall act as an insurer nor transact insurance in this state other than as authorized by a certificate of authority issued to it by the Commissioner.
3. RCW 48.11.020 defines life insurance as including the granting of annuities.
4. Chapter 48.38 RCW provides that certain charitable organizations upon complying with the provisions of the Chapter may, upon receiving a certificate of exemption from the Commissioner, conduct a charitable gift annuity business and be exempted from most of the provisions of Title 48 RCW.
5. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. issued two annuities in the State of Washington prior to receiving its Certificate of Exemption.

CONSENT ORDER 1

Mailing Address: P.O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501

Based upon the foregoing Findings of Fact, the Commissioner makes the following:

CONCLUSIONS OF LAW

1. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. by and through the conduct described above has violated RCW 48.05.030.
2. RCW 48.38.050 authorizes the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of a organization's certificate.
3. The organization committed the following violation(s) of Washington law:
 - a. The organization issued two annuities prior to receiving its Certificate of Exemption.

CONSENT TO ORDER

AMERICAN PRINTING HOUSE FOR THE BLIND, INC. consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. The Commissioner has offered a settlement in lieu of suspending or revoking the certificate of authority.

By agreement of the parties, the OIC will impose a fine of \$475.00 on condition that:

1. Within thirty days, AMERICAN PRINTING HOUSE FOR THE BLIND, INC. pays to the OIC the full amount of the fine.
2. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. commits no further violations of the statutes and regulations that are the subject of this Consent Order.
3. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. voluntarily consents to this order to resolve the issues and conduct described herein and with the understanding that the payment of the amount due is a condition to avoiding suspension or revocation of the Certificate of Exemption.

EXECUTED this 1st day of JULY, 2005

AMERICAN PRINTING HOUSE FOR THE BLIND, INC.

By: Donald J. Keefe

Printed Name: DONALD J. KEEFE

Typed Corporate Title: VICE PRESIDENT

ORDER OF THE INSURANCE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. AMERICAN PRINTING HOUSE FOR THE BLIND, INC. is ordered to pay a fine in the amount of \$475.00 upon the condition that AMERICAN PRINTING HOUSE FOR THE BLIND, INC. fully complies with the laws and regulations of the State of Washington which are the subject of this Order; and
2. Upon failure to pay the fine within the time limit set forth above, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington, pursuant to RCW 48.38.050.

ENTERED AT TUMWATER, WASHINGTON, this 14th day of July, 2005

MIKE KREIDLER,

Insurance Commissioner

By: James E. Tompkins

Assistant James T. Odiorne James E. Tompkins
Deputy Insurance Commissioner

OFFICE OF INSURANCE COMMISSIONER

Consent Order No. D 2005 - 273
Page Two

The Company failed to timely file its annual financial statement for the year ended December 31, 2004 in the form required by Chapter 284-07 WAC.

CONSENT TO ORDER

The Company consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. The Insurance Commissioner has offered a settlement in lieu of suspending or revoking the certificate of authority.

By agreement of the parties, the Insurance Commissioner will impose a fine of \$1000 on condition that:

1. Within thirty days, The Company pays to the Insurance Commissioner the full amount of the fine;
2. The Company commits no further violations of the statutes and regulations that are the subject of this Consent Order;
3. The Company voluntarily consents to this order to resolve the issues and conduct described herein and with the understanding that the payment of the amount due is a condition to avoiding suspension or revocation of the Certificate of Authority.

EXECUTED this 4 day of May, 2005.

Patricia Cochran
Signature
CFO & Treasurer
Title

ORDER OF THE INSURANCE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. The Company is ordered to pay a fine in the amount of \$1000 upon the condition that The Company fully complies with the laws and regulations of the State of Washington which are the subject of this Order; and
2. Upon failure to pay the fine within the time limit set forth above, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington, pursuant to RCW 48.05.185.

OFFICE OF INSURANCE COMMISSIONER

Consent Order No. D 2005 – 273
Page Three

ENTERED TUMWATER, WASHINGTON this 10 day of May, 2005.

MIKE KREIDLER
Insurance Commissioner

By 

JAMES T. ODIORNE, CPA, JD
Deputy Insurance Commissioner
Company Supervision Division